

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

A.S.R., individually and on behalf of all others
similarly situated,

Petitioner–Plaintiff,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,

Respondents–Defendants.

Case No. 3:25-cv-00113

MOTION TO LIFT DOCKET ACCESS RESTRICTIONS

Petitioner respectfully requests that this Court lift the limitations on remote access to electronic files, applicable to immigration cases by Fed. R. Civ. P. 5.2(c). Petitioner’s counsel asked Respondent’s counsel for their position on this motion beginning four days ago, but have still not received the government’s position.

“It is well-settled that there exists, in both criminal and civil cases, a common law public right of access to judicial proceedings and records.” *In re Cendant Corp.*, 260 F.3d 183, 192 (3d Cir. 2001) (citation omitted). The public’s right of access entails “a pervasive common law right ‘to inspect and copy public records and documents, including judicial records and documents.’” *Id.* (citation omitted). Any opposition to opening the record must identify the stated injury with “specificity.” *Id.* at 194.

This case is one of approximately five similar cases pending in district courts around the country challenging the constitutionality of removing Venezuelan immigration detainees under the Alien Enemies Act. The matter under consideration is one of immense public importance. The U.S. Government has invoked the Alien Enemies Act (“AEA”), 50 U.S.C. § 21, *et seq.*, for only the

fourth time in history, and the first time it is attempted outside of a declared war or against a non-state actor.

Under Rule 5.2(c), court records are not under seal, and are still presumptively public. While parties are granted remote access, “any other person may have electronic access to the full record at the courthouse.” Given the public interest in, and importance of, this litigation, Petitioner respectfully requests that this Court lift the limitations on remote public access to electronic court files and direct the Clerk’s office to take necessary measures to open the record.

Dated: April 25, 2025

Respectfully submitted,

Lee Gelernt (NY 2502532)**
 Daniel Galindo (CA 292854)**
 Ashley Gorski (NY 4874228)*
 Patrick Toomey (4983979)*
 Sidra Mahfooz (NY 5782693)*
 Omar Jadwat (NY 4118170)*
 Hina Shamsi (NY 2995579)*
 AMERICAN CIVIL LIBERTIES UNION
 FOUNDATION
 125 Broad Street, 18th Floor
 New York, NY 10004
 T: (212) 549-2660
 F: (212) 519-7871
 E: lgelernt@aclu.org
 E: dgalindo@aclu.org
 E: agorski@aclu.org
 E: ptoomey@aclu.org
 E: smahfooz@aclu.org
 E: ojadwat@aclu.org
 E: hshamsi@aclu.org

Noelle Smith (CA 344481)**
 Oscar Sarabia Roman (CA 341385)**
 My Khanh Ngo (CA 317817)**
 Cody Wofsy (CA 294179)**
 AMERICAN CIVIL LIBERTIES UNION

/s/ Vanessa L. Stine
 Vanessa L. Stine (PA 319569)
 Witold J. Walczak (PA 62976)
 Keith Armstrong (PA 334758)**
 AMERICAN CIVIL LIBERTIES UNION
 OF PENNSYLVANIA

P.O. Box 60173
 Philadelphia, PA 19102
 T: 215-592-1513
 F: 267-573-3054
 E: vstine@aclupa.org
 E: karmstrong@aclupa.org

P.O. Box 23058
 Pittsburgh, PA 15222
 T: 412-681-7864
 F: 267-573-3054
 E: vwalczak@aclupa.org

Attorneys for Petitioner-Plaintiff
**Pro hac vice applications forthcoming*
***Admitted pro hac vice*

FOUNDATION

425 California Street, Suite 700

San Francisco, CA 94104

T: (415) 343-0770

F: (212) 519-7871

E: nsmith@aclu.org

E: osarabia@aclu.org

E: mngo@aclu.org

E: cwofsy@aclu.org